IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.232 OF 2006

Madhukar Shankar Gunjal .. Petitioner.
Vs.
The State of Maharashtra .. Respondents.

Mr.E.N.Shaikh for the petitioner.
Mr.P.A.Pol A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 30TH JUNE, 2006

P.C.:

. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. This revision is directed against the concurrent findings recorded by the courts below convicting the accused for the offence punishable under section 353 and 324 of the I.P.C. Under section 353 he was sentenced to suffer R.I. for one year and to pay fine of Rs.2,500/- and under section 324 also he was sentenced to suffer R.I. for one year and to pay fine of Rs.2,500/-. The petitioner was a suspended police constable. On the date of incident he allegedly assaulted another constable in the police station with knife. Both the courts below on appreciation of the evidence have held that the alleged offence agaisnt the petitioner has been proved

beyond reasonable doubt. I find absolutely no reason to interfere with these findings. Mr.Shaikh, learned counsel for the petitioner submitted that he has instructions not to press this revision on merits seeking acquittal of the accused and that the petitioner will be satisfied if the sentence is reduce from one year to undergone. Mr.Pol, learned A.P.P. though did not oppose the prayer seriously stated that the sentence may not be reduced to undergone which is hardly four months. Keeping in view the submissions advanced by the learned counsel for the petitioner-accused and considering the overall facts and circumstances of the case I am inclined to reduce the sentence from one year to eight months. Hence I pass the following order:'

. The impugned judgments of conviction under sections 353 and 324 stands confirmed. However, the sentence of one year for both the offences shall stand reduced to eight months. Needless to express that both the sentences to run concurrently. Other part of the judgment and order shall remain unaltered. The revision is, accordingly, disposed of.

(D.B.Bhosale, J.)